IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc-M-17549 of 2007

Date of decision: 24.7.2007

Jagjit Singh …Petitioner

Versus

State of Punjab …Respondent

Present: Mr Vikram Chaudhary, Advocate for the petitioner.
Mr IPS Sidhu, Sr DAG Punjab.

S.S. SARON, J.

Heard counsel for the parties.

The petitioner seeks bail in case registered against him for the offences under Sections 306/34 IPC. On 20.3.2007 it was submitted by the learned counsel for the petitioner that the offence under Section 304B IPC has been added lateron and the application for bail be also treated as an application for bail for the said offence. The prayer of the petitioner was allowed accordingly.

The FIR has been registered on the statement of Jagir Singh whose daughter – Sukhraj Kaur was married to Jagjit Singh – petitioner. Jagjit Singh and his brothers were living together and their wives had a common kitchen. The petitioner and his brothers used to taunt the daughter of the complainant namely Sukhraj Kaur that only daughters had been born in her family and there was no son. Therefore, the daughter of the complainant was asked to get her father's share in the property and

transferred in the name of the petitioner. Sukhraj Kaur used to tell her father (complainant) about these demands but he would make her understand and send her back. She had been staying with the complainant for about 9 months after being harassed by her husband, her husband's elder brother and younger brother and also their wives. On 4.12.2006, the son-in-law of the complainant came and took his daughter. On 9.12.2006, the petitioner informed the complainant at about 2.30 p.m. on telephone that Sukhraj Kaur was not feeling well and at 5.00 p.m. he informed that she had died. The complainant along with his brother-in-law – Sukhwinder Singh and another relative – Dilbagh Singh and his family reached at Kuri Wallah and saw that his daughter had died. She had consumed some poisonous substance and died due to the taunts made by Jagjit Singh and his brothers and their wives.

In terms of the FIR, which has been lodged on the complaint of Jagir Singh, father of the deceased – Sukhraj Kaur, she had consumed poison herself being fed up of the taunts made by the family of the petitioner. The occurrence in the case is of 9.12.2006. The charge has been framed by the learned trial Court on 6.7.2006 for the offence under Section 306 IPC. Therefore, it is to be seen during trial of the case whether the petitioner has abetted the commission of suicide of Sukhraj Kaur. At this stage, it cannot be said that the petitioner had intentionally aided the commission of suicide by the deceased. The prosecution witnesses have been summoned for 12.10.2007 and the trial in the case is likely to take time. In the circumstances, without expressing any opinion on the merits of the case and keeping in view the nature of the allegations, it would be just and expedient to admit the petitioner to bail.

Accordingly, the criminal misc petition is allowed and the petitioner, on his furnishing personal bond and surety to the satisfaction of CJM, Amritsar, shall be admitted to bail.

24.7.2007. (S.S.SARON)
ASR JUDGE